seeable force intervene, and the defendant's act serve merely to put the plaintiff or his property in its path, the defendant's act should not be considered a proximate cause of the result. *Gilman* v. *Noyes*, 57 N. H. 627; *Bush* v. *Commonwealth*, 78 Ky. 268. Thus the decision of the Florida case would seem to be right, and is supported by the weight of authority. *Rodgers* v. *Missouri Pacific Ry. Co.*, 75 Kans. 222. *Contra*, *Green-Wheeler Shoe Co.* v. *Chicago, etc. Ry. Co.*, 130 Ia. 123.

REAL PROPERTY — ADVERSE POSSESSION — TACKING — PRIVITY. — The defendant owns a tract of land adjoining the plaintiff's. For over thirty years the defendant and his predecessors in title have held adversely a small strip of the plaintiff's land, though no one of them has held for the statutory fifteen years. In none of the conveyances through which the defendant holds was there any mention of the disputed strip, nor is there any evidence of an agreement concerning it between these successive holders. The plaintiff brings trespass to try title. *Held*, that title was not acquired by adverse possession. *Lake Shore & Michigan Southern Ry. Co.* v. *Sterling*, 155 N. W. 383 (Mich.).

It is generally accepted that for the purpose of acquiring title a disseisor may tack to his own adverse possession that of his predecessor. *Overfield* v. *Christie*, 7 S. & R. (Pa.) 173. See 2 TIFFANY, REAL PROPERTY, § 438. But the great weight of authority, regarding the statute as a protection of ownership that has been openly asserted for the period set, from suits on remote and possibly fictitious claims, demands that the adverse claim be a continuation of that of the predecessor — that there be "privity" between the disseisors. See *Sherin* v. *Brackett*, 36 Minn. 152, 153, 30 N. W. 551. A few courts, in defining privity, require a continuous paper title to the disputed land sufficient to have transferred it had the grantor held title. *Evans* v. *Welch*, 29 Colo. 355, 363, 68 Pac. 776, 779; *Vicksburg, etc. Ry. Co.* v. *Le Rosen*, 52 La. Ann. 192, 203, 36 So. 854, 860; *Messer* v. *Hibernia, etc. Soc.*, 149 Cal. 122, 124, 84 Pac. 835, 837. But generally any agreement, oral or written, between the successive holders touching the land is held sufficient, but essential. *McNeely* v. *Langan*, 22 Oh. St. 32; *Weber* v. *Anderson*, 73 Ill. 439, 443. If the disputed strip was held as a part of another tract to which the successive possessors had title, some courts, as in the principal case, refuse to spell out the necessary agreement touching the disputed strip from the mere transfer of the tract owned by the predecessor. *Erck* v. *Church*, 87 Tenn. 575, 11 S. W. 794; *Sheldon* v. *Mich. Cent. Ry. Co.*, 161 Mich. 503, 126 N. W. 1056. Other courts do find an agreement between the parties from this mere transfer. *Crispen* v. *Hannavan*, 50 Mo. 536, 549; *Davock* v. *Nealon*, 58 N. J. L. 21, 32 Atl. 675; *Illinois Central R. Co.* v. *Hatter*, 207 Ill. 88, 96, 69 N. E. 751, 753. A few courts, looking rather at the owner's continuous laches than at the possessor's continuous claim, have discarded the doctrine of privity, barring the true owner whenever there has been a continuous adverse possession for the statutory period. *Fanning* v. *Wilcox*, 3 Day (Conn.) 258; *Wishart* v. *McKnight*, 178 Mass. 356, 360, 59 N. E. 1028; *Carter* v. *Bernard*, 13 Q. B. 945, 952. See 9 HARV. L. REV. 279.

RECORDING AND REGISTRY LAWS — TORRENS' LAND REGISTRATION SYSTEM — RIGHTS OF PURCHASER OF AN OVERLAPPING CERTIFICATE. — The plaintiff registered his land under the Torrens' system. Later an adjoining owner registered his land, the plaintiff having actual notice of the proceedings. The adjoining owner obtained a certificate which included a wall also included in the plaintiff's certificate. The adjoining owner sold to the defendant, a purchaser for value. The plaintiff now seeks to reopen the later decree, and have the defendant's certificate reformed, claiming that the wall belongs to him. *Held*, that the decree will be reopened. *Legarda* v. *Saleeby*, 13 Phil. Off. Gaz. 2117 (Phil. Sup. Ct.).

For a full discussion of the principles involved, see NOTES, p. 772.